

TAB 9

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

FILED

DEC 14 2004

CLERK U.S. DISTRICT COURT
DISTRICT OF COLUMBIA

SCIMED LIFE SYSTEMS, INC.,

Plaintiff

v.

Case No. 1:01 CV 02015 RJL

MEDTRONIC VASCULAR, INC., and
ERIC C. MARTIN

Defendants

JOINT STIPULATED REQUEST TO EXTEND DISCOVERY

Plaintiff Scimed Life Systems, Inc. and Defendant Medtronic Vascular, Inc. jointly and respectfully request this Court to extend the discovery deadline and all subsequent dates in this case by two months.

The parties have engaged in written discovery with all deliberate speed. In order to avoid any duplication of efforts, however, depositions have not taken place pending the completion of all document production. Given the number of witnesses located in and outside the United States and the fast approaching holiday season, the parties jointly propose the following extensions of the dates set forth in the Court's Scheduling Order:

Close of factual discovery	February 1, 2005
Deadline for filing discovery motions	February 15, 2005
Service of expert reports on those issues as to which a party has the burden of proof	March 14, 2005

(2)

Service of expert reports on those
issues to which opposing party has the
burden of proof

April 15, 2005

Completion of expert depositions

May 25, 2005

Deadline for filing summary judgment
motions

June 22, 2005

(The parties are not precluded from filing summary judgment motions prior to this date.)

Opposition to summary judgment motions 21 days after filing of motion

Reply memorandum in support of
summary judgment motions

14 days after filing of opposition

Hearing on summary judgment motions

To be scheduled by Court

The pretrial conference

On or after July 25, 2005

Respectfully submitted,

Friebel / SKS

Gidon D. Stern
Thomas E. Friebel (D.C. Bar No. 290627)
Catharina J. Chin Eng
JONES DAY
222 East 41st Street
New York, NY
Attorneys for Plaintiff
Scimed Life Systems, Inc.

Shahida

Donna M. Tanguay (D.C. Bar No. 414496)
John R. Fuisz (D.C. Bar No. 439698)
Stephen K. Shahida (D.C. Bar No. 454970)
McDERMOTT, WILL & EMERY
600 13th St., N.W.
Washington, D.C. 20005-3096
Attorneys for Defendant
Medtronic Vascular, Inc.

It is so ORDERED

Dated November 2, 2004

Richard J. Leon

Honorable Richard J. Leon
United States District Judge